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Attorney Docket **P0894P1D2C6**

PATENT

**EV 351 926 896 US:** Express Mail Number

**November 24, 2003:** Date of Deposit

17497 U.S. PTO  
10/722095



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

**Joffre Baker, El Granada, CA  
Kenneth Chien, La Jolla, CA  
Kathleen King, Pacifica, CA  
Diane Pennica, Burlingame, CA  
William Wood, San Mateo, CA**

Title: **CARDIAC HYPERTROPHY FACTOR AND USES THEREFOR**

**1. Type of Application**

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☒ continuation ☐ divisional application claiming priority to application Serial Number 09/896,856, filed June 29, 2001, the entire disclosure of which is hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)  
(Non-provisional )**

121 pages of specification  
4 pages of claims  
1 page(s) of abstract  
8 sheet(s) of drawings  
☒ formal ☐ informal

**3. Declaration or Oath**

*(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*

\_\_\_ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

*(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*

X A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

*(for Cont./Div. where inventor(s) being deleted)*

\_\_\_ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

#### 4. Assignment

*(for new and CIP applications)*

\_\_\_ An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with attached Recordation Form Cover Sheet ☐ will follow.

*(for cont./div.)*

X This application claims priority to an application assigned of record to Genentech, Inc. and The Regents of the University of California.

#### 5. Amendments (for continuation and divisional applications)

\_\_\_ Cancel in this application original claims \_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

X A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

#### 6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$770.00
Total Claims	30	- 20 =	10	X \$18.00	\$180.00
Independent Claims	8	- 3 =	5	X \$86.00	\$430.00
___ Multiple dependent claim(s), if any				+ \$290.00	\$0.00
Filing Fee Calculation					\$1,380.00

**7. Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$1,380.00. **A duplicate copy of this transmittal is enclosed.**

**8. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this transmittal is enclosed.**

**9. Additional Papers Enclosed**

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☐ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- ☐ A new Power of Attorney or authorization of agent.
- ☐ Other:

**10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)**

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- X   A petition, fee and/or response has been filed to extend the term in the pending prior application until November 24, 2003.
- X   A copy of the petition for extension of time in the **prior** application is attached.

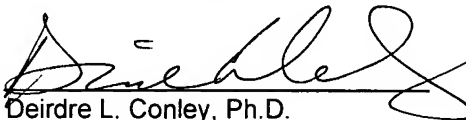
**11. Correspondence Address:**

  X   Address all future communications to:

Attn: Deirdre L. Conley, Ph.D.  
Customer No: 09157

Respectfully submitted,  
GENENTECH, INC.

By:



Deirdre L. Conley, Ph.D.

Reg. No. 36,487

Telephone No. (650) 225-2066

Date: November 24, 2003

**CUSTOMER NO: 09157**